

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:)	Docket No.:	014811-487.114 US
Applicant(s):	Gordana Kosutic, et al)	Confirmation No.:	8427
Application No.:	10/562,478)	Examiner:	Samuel W. Liu
Filing Date	November 15, 2006)	Art Unit:	1656
Title:	MIXTURES OF CALCITONIN)	Customer No.;	
	DRUG-OLIGOMER)		
	CONJUGATES)		24239
	AND METHODS OF USE IN)		
	PAIN TREATMENT)		

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM UNDER 35 U.S.C. §120
IN U.S. PATENT APPLICATION NO. 10/562,478**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Request hereby is made under the provisions of 37 C.F.R. §1.78(a)(3) to accept an unintentionally delayed claim under 35 U.S.C. §120. The Commissioner is requested to accord the above-identified application the benefit of a prior-filed application. Specifically, applicants are requesting that the present application be granted the filing date of co-pending U.S. Application No. 10/806,523 filed on March 23, 2004, titled "MIXTURES OF CALCITONIN DRUG-OLIGOMER CONJUGATES COMPRISING POLYALKYLENE GLYCOL, USES THEREOF, AND METHODS OF MAKING SAME" now U.S. Patent No. 7,084,121.

Notably, co-pending U.S. Application No. 10/806,523 and the present application have a common inventor Nnochiri N. Ekwuribe. Applicants have again included herewith a copy of U.S. Application No. 10/806,777, now U.S. Patent No. 7,084,121.

Applicants state that the entire delay between December 22, 2005, the date the claim was due under 37 CFR §1.78(a)(2)(ii) and the date of July 6, 2009 (37 CFR §1.78(a)(5)(ii)) the date this claim was filed was

unintentional. This application is a 371 application of PCT Application No. PCT/US2004/016784 with an international filing date of May 27, 2004. The 371 application was filed in the USPTO on December 22, 2005.

Applicants have amended the specification of the present application to recite the reference required by 35 U.S.C. 120 to the prior-filed and copending application U.S. Application No. 10/806,523.

Fee Payable for the Instant Petition

Applicants have included herewith the fee due for entry of this petition. In the event any extra fee is found due, authorization hereby is given to charge any additional fee or amount properly payable in connection with the entry of this Petition, to Deposit Account No. 13-4365 of Moore & Van Allen, PLLC.

Respectfully submitted,

/mariannefuierer/

Marianne Fuierer

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